

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

JANE DOE 7,)	
)	
Plaintiff,)	
vs.)	Case No. 1:20-CV-00172 JAR
)	
)	
SOUTHEAST MISSOURI STATE)	
UNIVERSITY, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's Second Motion to Strike Defendants' Filings. (Doc. No. 52). When this case was filed in August 2020, the Court granted Plaintiff leave to litigate this matter under the pseudonym Jane Doe 7 and prohibited the parties from revealing Plaintiff's identity or identifying information. (Doc. Nos. 2, 4).

On January 28, 2022, Defendants filed a motion for summary judgment and supporting documents that revealed Plaintiff's identity in the titles and content of the documents. Plaintiff moved to strike those filings as they violated the Court's protective order. Once alerted to the issue, Defendants sought leave to redact Plaintiff's proper name, identify her with the pseudonym Jane Doe 7, and refile their motion for summary judgment. Accordingly, the Court directed the Clerk of Court to withdraw Defendants' motion and supporting documents, ordered Defendants to refile their motion with Plaintiff's proper name removed and replaced with the pseudonym Jane Doe 7, and denied Plaintiff's motion to strike as moot. (Doc. No. 43).

On January 31, 2022, Plaintiff filed her motion for summary judgment (Doc. Nos. 41, 42, 43) and Defendants refiled their motion for summary judgment (Doc. Nos. 44, 46, 48). On February 1, 2022, Defendants filed their opposition to Plaintiff's motion (Doc. Nos. 49, 50, 51-1,

51-3, 51-4). Plaintiff has again moved to strike Defendants' filings as they identify Plaintiff by her proper name in violation of the Court's protective order. In response, Defendants state they inadvertently failed to redact Plaintiff's name from their exhibits to their Additional Statement of Uncontroverted Material Facts (Doc. Nos. 50-1, 50-3, 50-4). Defendants further respond that Plaintiff's name does not appear in their memorandum in opposition to Plaintiff's motion (Doc. No. 49) or in their response to Plaintiff's Statement of Uncontroverted Material Facts (Doc. No. 50).

In light of Defendants' response to Plaintiff's motion to strike, the Court will direct the Clerk of Court to unseal Defendants' memorandum in opposition to Plaintiff's motion (Doc. No. 49) and their response to Plaintiff's Statement of Uncontroverted Material Facts (Doc. No. 50). The Court will also direct the Clerk of Court to withdraw the exhibits to Defendants' Additional Statement of Uncontroverted Material Facts (Doc. Nos. 51-1, 51-3, 51-4) and order Defendants to refile them with Plaintiff's proper name removed and replaced with the pseudonym Jane Doe.

The Court does not believe that Defendants' action was intentional; however, this is the second time this has occurred and evidences a reckless disregard for Plaintiff's right to privacy. For this reason, the Court will award Plaintiff her attorney's fees and costs associated with the filing of this second motion to strike.

Accordingly,


IT IS HEREBY ORDERED that the Clerk of the Court shall **WITHDRAW** the exhibits attached to Defendants' Additional Statement of Uncontroverted Material Facts (Doc. Nos. 51-1, 51-3, 51-4) and **UNSEAL** Defendants' memorandum in opposition to Plaintiff's motion (Doc. No. 49) and response to Plaintiff's Statement of Uncontroverted Material Facts (Doc. No. 50).

IT IS FURTHER ORDERED that Defendants shall refile their exhibits to their Additional Statement of Uncontroverted Material Facts with Plaintiff's proper name removed and replaced with the pseudonym Jane Doe.

IT IS FURTHER ORDERED that Plaintiff's second motion to strike [52] is **DENIED as moot.**

IT IS FINALLY ORDERED that Plaintiff's counsel shall submit a statement of the fees and costs associated with the filing of the second motion to strike for the Court's consideration.

Dated this 16th day of February, 2022.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE